

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

RAYMOND DAKIM HARRIS JOINER,)
)
Plaintiff,)
)
v.) **1:14CV528**
)
)
CAPTAIN C. COVINGTON and)
JACKIE PARKER,)
)
Defendants.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on July 1, 2014, was served on the parties in this action. Plaintiff filed Objections to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. # 5].

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a *de novo* determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983

forms, which corrects the defects cited in the Recommendation. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 11th day of April, 2016.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge